

**AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions, and listings, of claims in the application: **(AS ON AMENDED SHEET(S) ANNEXED TO IPRP)**

1. (original) A method for the production of amphiphile particles having incorporated therein at least one active agent, said method comprising forming a dispersion of particles comprising at least one amphiphilic structuring agent, followed heating said dispersion to an elevated temperature in a solution of at least one active agent, and then cooling to around ambient temperature.

2. (original) A method as claimed in claim 1 wherein said heating is to a temperature and for a period sufficient to provide, after cooling, an incorporation of active agent into said particles which is at least 130% of the maximum incorporation provided by equilibrating said particles in a solution of at least one active agent at 37°C for up to 3 days.

3. (currently amended) A method as claimed in claim 1 ~~or claim 2~~ wherein said particles are colloidal.

4. (currently amended) A method as claimed in ~~any of claims 1 to 3~~ claim 1 wherein said heating is to a temperature in the range 75°C to 200°C.

5. (currently amended) A method as claimed in ~~any of claims 1 to 4~~ claim 1 wherein said heating is for a period of between 1 minute and 4 hours.

6. (currently amended) A method as claimed in ~~any of claims 1 to 5~~ claim 1 wherein, prior to incorporation of said active agent, at least 75% by volume of said particles are of non-lamellar or micellar phase.

7. (currently amended) A method as claimed in ~~any of claims 1 to 6~~ claim 1 wherein, after incorporation of said active agent, at least 75% by volume of said particles are of non-lamellar or micellar phase.

8. (currently amended) A method as claimed in ~~any of claims 1 to 7~~ claim 1 wherein, before incorporation of said active agent, the equilibrium form of the particles is non-lamellar or micellar.

9. (currently amended) A method as claimed in ~~any of claims 1 to 8~~ claim 1 additionally comprising drying the amphiphile particles having incorporated therein at least one active agent.

10. (original) Amphiphile particles comprising at least one structure forming amphiphile and an active agent, wherein the incorporation of said active agent into said particles is

at least 130% of the maximum incorporation provided by incubating equivalent particles not comprising any active agent in a solution of an excess of said active agent at 37°C.

11. (currently amended) Amphiphile particles as claimed in claim 10, having incorporated therein at least one active agent, said particles being formed by the method of any of claims 1 to 10 as defined above.

12. (currently amended) Amphiphile particles as claimed in claim 10 ~~or claim 11~~ wherein said structure forming amphiphile is one or more amphiphiles selected from natural lipids, synthetic lipids, surfactants, and amphiphilic copolymers.

13. (currently amended) Amphiphile particles as claimed in ~~any of claims 10 to 12~~ claim 10 wherein a portion of said structure forming amphiphile is a fatty acid and/or an oily amphiphile.

14. (currently amended) Amphiphile particles as claimed in ~~any of claims 10 to 13~~ claim 10 wherein said particles are colloidal.

15. (currently amended) Amphiphile particles as claimed in ~~any of claims 10 to 14~~ claim 10 wherein the particles are at least 75% by volume non-lamellar or micellar particles or mixtures thereof.

16. (currently amended) Amphiphile particles as claimed in ~~any of claims 10 to 15~~  
claim 10 additionally comprising at least one fragmenting agent.

17. (original) Amphiphile particles as claimed in claim 16 wherein said fragmenting agent is a surfactant with a hydrophilic lipophilic balance of at least 12.

18. (currently amended) Amphiphile particles as claimed in ~~any of claims 10 to 17~~  
claim 10 wherein said particles are stable to the loss of said active agent for at least 24 hours at 25°C.

19. (currently amended) Amphiphile particles as claimed in ~~any of claims 10 to 18~~  
claim 10 wherein said particles are stable in terms of particle size for at least 24 hours at 25°C.

20. (currently amended) A pharmaceutical composition comprising amphiphile particles as claimed in ~~any of claims 10 to 19~~ claim 10 and at least one pharmaceutically tolerable carrier or excipient.

21. (currently amended) A powder comprising particles as claimed in ~~any of claims 10 to 20~~ claim 10, optionally with some or all of the water therein removed.

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22. (currently amended) A gel of cream comprising particles as claimed in ~~any of~~  
~~claims 10 to 21~~ claim 10, optionally with some or all of the water therein removed.